

Amendment filed 12/21/05
Response to OA mailed 09/21/05

U.S.S.N. 10/782,093
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REMARKS

Claims 1-31, 33, and 34 are pending. Claims 1-31, 33, and 34 stand rejected.

Double Patenting

Claims 1 and 6 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-4 of U.S. Patent No. 6,714,136 in view of U.S. Patent No. 4,850,040 (Teich).

The Office Action alleges that the referenced serial number in the terminal disclaimer filed on June 27, 2005 is incorrect. Applicant is filing a correction to the terminal disclaimer in compliance with 37 U.S.C. 1.321(c) to overcome the nonstatutory double patent rejection with commonly owned U.S. Patent No. 6,714,136. Applicant requests reconsideration of claims 1 and 6.

Claim 11 is rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 3 of U.S. Patent No. 6,714,136 in view of U.S. Patent No. 4,850,040 (Teich).

The Office Action alleges that the referenced serial number in the terminal disclaimer filed on June 27, 2005 is incorrect. Applicant is filing a correction to the terminal disclaimer in compliance with 37 U.S.C. 1.321(c) to overcome the nonstatutory double patent rejection with commonly owned U.S. Patent No. 6,714,136. Applicant requests reconsideration of claim 11.

Claims 2, 5, 7, 10, and 12 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 6,714,136 in view of U.S. Patent No. 4,850,040 (Teich) and further in view of U.S. Patent No. 5,995,455 (Kutosky).

The Office Action alleges that the referenced serial number in the terminal disclaimer filed on June 27, 2005 is incorrect. Applicant is filing a correction to the terminal disclaimer in compliance with 37 U.S.C. 1.321(c) to overcome the nonstatutory double patent rejection with

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commonly owned U.S. Patent No. 6,714,136. Applicant requests reconsideration of claims 2, 5, 7, 10, and 12.

Claims 3-4, 8-9, and 13-16 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 6,714,136 in view of U.S. Patent No. 4,850,040 (Teich) and further in view of U.S. Patent No. 6,223,348 (Hayes).

The Office Action alleges that the referenced serial number in the terminal disclaimer filed on June 27, 2005 is incorrect. Applicant is filing a correction to the terminal disclaimer in compliance with 37 U.S.C. 1.321(c) to overcome the nonstatutory double patent rejection with commonly owned U.S. Patent No. 6,714,136. Applicant requests reconsideration of claims 3-4, 8-9, and 13-16.

Rejections under 35 U.S.C. 103(a)

Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 4,850,040 (Teich) in view of U.S. Patent No. 5,287,109 (Hesse).

Regarding claim 1, the claim includes the feature of "clock setup circuitry, alarm setup and activation circuitry coupled to the microprocessor for setting the clock, setting the alarm, and activating a plurality of remote devices" and "a programmable universal infrared remote device control, coupled to the alarm clock circuitry, for remote programming the plurality of remote devices, and having activation circuitry for activating the plurality of remote devices. (Emphasis added.) Teich, as cited by the Office Action, merely teaches (Column 6, lines 12-20. Emphasis added.):

It will be recalled that each transmitted code consists of five bits (32 possible codes). In the illustrative system, there are at most eight remote devices which must be controlled; eight codes are used to toggle respective devices on and off. Another eight are used as a master reset, any one of them turning all eight devices off. The remaining sixteen codes are used for controlling the heating/cooling (HVAC) in the room. (Different coding altogether is required for controlling the TV, and it varies from manufacturer to manufacturer.)

Teich discloses transmitting a 5-bit code (corresponding to one of 32 possible codes). Teich merely suggests activating (i.e., turning on or powering up) one of a plurality of remote devices

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and not activating a plurality of remote devices, where a 5-bit code corresponds to activating a single device. Hesse does not remedy the deficiency of Teich.

Similarly, independent claim 6 includes the features of "clock setup circuitry, alarm setup and activation circuitry coupled to the microprocessor for setting the clock, setting the alarm, and activating a plurality of remote devices" and "a programmable universal infrared remote device control, coupled to the alarm clock circuitry, for remote programming the plurality of remote devices, and having activation circuitry for activating the plurality of remote devices." Claims 2-5 and 7-10 depend from claims 1 and 6, respectively, and are patentable for at least the above reasons. Thus, Applicant requests reconsideration of claims 1-10.

Claims 11-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 4,850,040 (Teich) in view of U.S. Patent No. 5,995,455 (Kutosky) and further in view of U.S. Patent No. 6,633,281 (Lin).

Claim 11 includes the feature of "the microprocessor/microcontroller, and alarm setup and activation circuitry coupled to the remote controller alarm triggering unit for setting the alarm, and activating a plurality of remote devices." (Emphasis added.) As discussed above, Teich does not activate a plurality of remote devices but merely activates one of a plurality of remote devices. Moreover, claims 12-13 and 16 depend from claim 11 and are patentable for at least the above reasons. Claim 14 depends from claim 1, and claim 15 depends from claim 6. Claims 1 and 15 are patentable for at least the above reasons. Applicant is requesting reconsideration of claims 11-16.

Regarding independent claim 17, the claim includes the feature of "a processor module that is coupled to the internal alarm module, the timing module, and the programmable universal remote control module and that is configured to perform: (a) selecting a remote device setup mode from a first combination of switches from the plurality of switches; (b) selecting a first remote device from a second combination of switches from the plurality of switches when the remote device setup mode is selected in response to (a); (c) if an alarm function is on and the current time approximately equals a predetermined internal alarm time, activating the internal alarm module; and (d) if the alarm function is on and the current time approximately equals a first predetermined remote alarm time, instructing the programmable universal remote control

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module to transmit a first wireless signal to the first remote device, wherein the first wireless signal activates the first remote device. (Emphasis added.) The Office Action admits (Pages 11-12.):

Teich et al is however silent on teaching a processor module that is coupled to the internal alarm module, the timing module, and the programmable universal remote control and that is configured to perform when the alarm function is on and the current time approximately equals a first predetermined remote alarm time, instructing the programmable universal remote control module to transmit a first wireless signal to a first remote device, wherein the first wireless signal activates the first remote device. Lin et al. in an art related universal remote control device teaches a remote control coupled to a processor and the remote control is program [programmed] to activate a particular device at a predetermined time using different timing circuit for different devices (col. 7, lines 61-69.)

Lin does disclose (Col. 7, line 61 – col. 8, line 6. Emphasis added.):

Furthermore, the microprocessor 30 of the processing unit is built with a timing function for providing a remote timer capability. That is, multiple remote timers are provided, and each remote timer can be used to activate a specific electrical appliance when its timing count is finished. Therefore, the timers simply can be set and the universal remote control placed to face a signal receiver of the controlled electrical appliances, so as to transmit remote control codes to the electrical appliances and thus activate the electrical appliances when the setting counts are reached. Such a timer capability can be combined with the macro function to initiate a series of remote control operations when a setting time is reached.

Lin merely discloses setting a timer for a selected time duration that activates the corresponding appliance when the corresponding setting count is reached by the timer. However, Lin does not suggest a predetermined remote alarm time (e.g., 10:00 PM). It is advantageous to use a predetermined remote alarm time rather than a time duration. For example, a user may wish to view a particular television program at 10:00 PM. If the user must set a time duration, the user must adjust the time interval as a function of the time when the user sets the time duration (e.g., 63 minutes if the user were to set the time duration at 8:57 PM and 17 minutes if the user were to set the time duration at 9:43 PM). Kutosky fails to remedy the deficiencies of Teich and Lin.

Claims 18-26 ultimately depend from claim 17 and are patentable for at least the above reasons. Applicant requests reconsideration of claims 17-26. Moreover, claim 23 includes the

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additional feature of "if the current time approximately equals a first sleep remote time, instructing the programmable universal remote control module to transmit a corresponding wireless signal to the first remote device, the corresponding wireless signal deactivating the first remote device." Emphasis added. The Office Action alleges (Page 14.):

Lin et al, in an art related universal remote control device teaches a remote control coupled to a processor and the remote control is program [programmed] to control a particular device at a predetermine time using a timer circuit (col. 7, lines 61-69). One skilled in the art recognizes that the powering down or deactivating of a remote device represents a standard control code function of a remote control code.

As discussed above, Lin merely discloses a time duration and not a first sleep remote time. Moreover, the claimed invention of claim 23 activates and deactivates a remote device at corresponding times, in which deactivation occurs after the remote device is activated by the alarm clock remote control system. Lin fails to suggest a second timer that deactivates a remote device and that is associated with a first timer that activates the remote device.

Claims 27-31 and 33-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Teich in view of Kutosky in view of Lin and further in view of U.S. Patent 5,148,241 (Ladke).

Claim 27 includes the feature of "if the alarm function is on and if the current time is approximately equal to a first predetermined remote alarm time, transmitting a first wireless signal to the first remote device, wherein the first wireless signal activates the first remote device." As discussed above, the combination of Teich, Kutosky, and Lin does not even suggest this feature, and Ladke does not make up for the deficiencies. Moreover, claims 28-31 and 33-34 ultimately depend from claim 27. Thus, Applicant requests reconsideration of claims 27-31 and 33-34.

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CONCLUSION

All objections and rejections have been addressed. Hence, it is respectfully submitted that the present application is in condition for allowance, and a notice to that effect is earnestly solicited.

Respectfully submitted,

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